REMARKS

The Applicants thank the Examiner for the thorough examination of the application. No new matter is believed to be added to the application by this Amendment.

Status of the Claims

Claims 1-21 are pending in the application.

Claims 1 and 8 have been amended to replace to term "presumes" with the term "assumes" in response to the Examiner's comments at page 6, lines 24-28 of the Office Action. In order to clarify the meaning of this term, it is noted that the machine does not itself truly assume (or, alternately, presume) anything. The machine just enters the data it has specified itself, a moment previously, in the memory.

Claims 19-21 find support in the specification at page 9, lines 23-31.

Rejections Based On Hube And Moro

Claims 1-6 and 8-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hube (U.S. Patent 5,229,814). The Examiner adds the teachings of Moro (U.S. Patent 6,327,051) to the aforesaid rejection to reject claim 7 under 35 U.S.C. § 103(a). Applicants traverse.

Distinctions of the Invention over Hube and Moro have been placed before the Examiner in the Responses filed December 22, 2005 and June 28, 2005. For brevity, these traversals are not repeated here.

Of the many failures of Hube and More, both references fail to disclose or suggest a digital image reproduction apparatus that "automatically, in response to receiving a confirmation

signal which confirms that the operator has completed the requested action, assumes that the installed recording sheets are of the required type and stores information specifying the required type of recording sheet in a location of the memory associated with said eligible tray." (*see* claims 1 and 8 of the present invention). Similarly, Hube and Moro fail to disclose or suggest a digital image reproduction apparatus that "automatically, upon an operator command for the purpose from the user interface, stores information specifying the indicated type of recording sheet in a location of the memory associated with said specific tray." (*see* claim 12 of the present invention).

That is, in the present invention, checking of loaded request stock is not necessary.

In his Response to Arguments at pages 6 and 7 of the Office Action, the Examiner asserts that checking is indeed performed by the operator. At page 7, line 11 of the Office Action, the Examiner clearly refers to the term "checking" as a method step. However, the present invention is set forth in apparatus claims, not method claims.
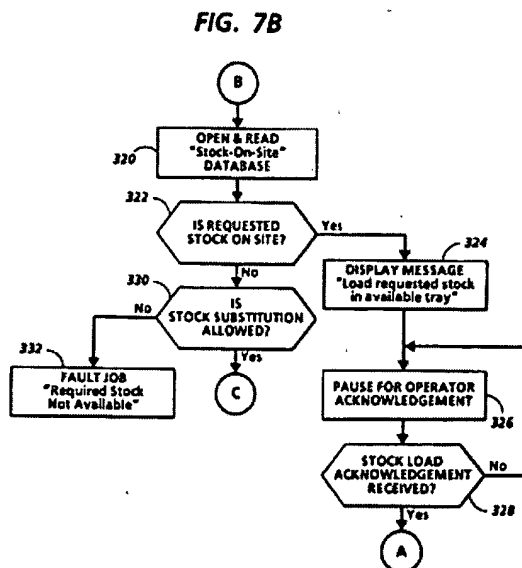
That is, an apparatus claim states what the machine is, and any operator actions are irrelevant. Indeed, when using the apparatus of the present invention, the operator does check if the stock he puts into the paper tray is of the correct kind. That is normal human behavior. The Hube operator will do so as well. The difference lies in what the machine is and does.

In comparison, Hube at column 9, lines 21-24 states: "During use, the operator loads the programmed stock into one of the paper trays **110, 112, 114** and enters, by means of **UI 52**, the characteristics of the stock, i.e., size, type, and color." In Hube, the operator thus also has to enter the stock details into the user interface, and then the machine checks those stock details before it starts up the print job.

In contrast, in the present invention, the operator puts the requested stock into the paper tray and that is it! The machine does not check anything (the machine is even intentionally deprived of any possibility to perform a check), but simply starts the job. In addition, the machine controller enters the specification of the stock it had requested into the memory.

Thus, the operator does not have to enter stock details, because the machine simply takes the details for granted. This procedure relieves the operator of the specifying task.

Additionally, the Examiner continues to mischaracterize the technology of Hube. Figure 7B of Hube (relied upon by the Examiner) is reproduced below.

FIG. 7B

Analogizing the image production apparatus of Hube to the present invention is not entirely correct. The delay time of step S7 of the present invention has no nothing to do with waiting for the operator to take action, but is intended for sending a second alert to the key operator. There is no explicit flow chart item in the present invention that corresponds to Hubes's PAUSE step 326.

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Further, the Examiner incorrectly equates the present invention's step S9 (entering the stock specifications in memory) to Hubes's step 306-1. In Hube, it is the operator who enters the stock specification, and this is not specified in Hube's flow sheet. Step 306-1 of Hube is the step of checking of the requested specifications against the contents of the first tray. Indeed, in Hube, *all* trays are checked against the requested stock specifications, which implies that the machine does not handle the requesting-filling-specifying cycle in a dedicated loop, as in the present invention. Rather, Hube's machine detects the deficiency and asks for the missing paper stock, but after the requested stock has been inputted, the machine checks all trays to determine if any of them contains the requested stock.

Therefore, the present invention fails to include that check because it is not necessary. In Fig. 3 of the present application, step S8 detects the operator confirmation, step S9 updates the memory with the new, automatically presumed tray contents, and in step S10 the print process starts up immediately.

As a result, Hube clearly fails to anticipate the present invention. The Examiner turns to Moro for teachings pertaining to user terminals to reject claim 7. However, Moro fails to address the deficiencies of Hube in anticipating or suggesting the present invention. A *prima facie* case of obviousness has thus not been made over claim 7.

These rejections are overcome and withdrawal thereof is respectfully requested so that the claims be passed to allowance.

Prior Art

The prior art cited but not utilized by the Examiner indicates the status of the conventional art that the invention supersedes. Additional remarks are accordingly not necessary.

Information Disclosure Statement

The Applicants thank the Examiner for considering the Information Disclosure Statement filed May 4, 2001, and for making the initialed PTO-1449 form of record in the Office Action mailed March 28, 2005.

Drawings

The Examiner is respectfully requested to indicate whether the drawing figures are acceptable in the next Official Action.

Priority

The Examiner has acknowledged foreign priority most recently in the Office Action mailed March 24, 2006.

CONCLUSION

The Examiner's rejections have been overcome, rendered moot or obviated. No issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Registration No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

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Respectfully submitted,

By _Robert E Goozner #42,593_

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